

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

Ezequiel GARCIA-Galindo

Defendant.

Magistrate Case No.

COMPLAINT FOR VIOLATION OF:

Title 8, U.S.C., Section 1326;  
Deported Alien Found in the  
United States

FILED

08 MAR 28 AM 9:21

08 MJ 0949  
CLERK OF DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA

CP DEPUTY

The undersigned complainant, being duly sworn, states:

On or about, **March 23, 2008**, within the Southern District of California, defendant, **Ezequiel GARCIA-Galindo** an alien, who previously had been excluded, deported and removed from the United States to Mexico, was found in the United States, without the Attorney General of the United States or his designated successor, the Secretary of the Department of Homeland Security (Title 6, United States Code, Sections 202(3) and (4), and 557), having expressly consented to the defendant's reapplication for admission into the United States; in violation of Title 8, United States Code, Section 1326.

And the complainant further states that this complaint is based on the attached statement of facts, which is incorporated herein by reference.



SIGNATURE OF COMPLAINANT

Deportation Officer

U.S. Immigration & Customs Enforcement

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS **28th** DAY OF **March 2008**.



UNITED STATES MAGISTRATE JUDGE

**CONTINUATION OF COMPLAINT:****NAME: GARCIA-Galindo, Ezequiel****PROBABLE CAUSE STATEMENT**

On Sunday, March 23, 2008, the defendant identified as, **Ezequiel GARCIA-Galindo**, was apprehended by Officers of the San Diego Police Department, San Diego, California, while conducting a traffic stop. The defendant was placed under arrest for Violation of Vehicle Codes 23152 (B) DUI ALCOHOL/0.08 PERCENT and booked into county jail. While in the custody of county jail, an Immigration Agent conducted a field interview, determined the defendant to be a citizen of Mexico and placed an Immigration Hold (I-247) pending his release from jail.

On March 27, 2008 the defendant was referred to the custody of the United States Immigration and Customs Enforcement (ICE), Field Office in San Diego, California. An Immigration Enforcement Agent conducted computer database record checks and reviewed various sources of information confirming the defendant to be a citizen of Mexico having been deported or removed from the United States on at least one occasion.

A thorough review of official immigration computer database record checks and information contained in the Alien Registration File, revealed that the defendant has been ordered removed from the United States by an Immigration Judge on or about April 16, 2001 and removed to Mexico, via the San Ysidro Port of Entry. Record checks further indicate that the defendant has not applied to the Attorney General of the United States or the Secretary of the Department of Homeland Security for permission to re-enter the United States.

The Automated Biometric Fingerprint Identification System IDENT and Automated Fingerprint Identification System IAFIS were utilized and compared the defendant's fingerprints to those contained in these databases. The results confirmed the defendant's identity as, Ezequiel GARCIA-Galindo, a citizen and national of Mexico.

Based upon the foregoing information, there is probable cause to believe that Ezequiel GARCIA-Galindo has illegally re-entered the United States after Deportation, in violation of Title 8 of the United States Code 1326, Deported Alien Found in the United States.

  
Deportation Officer  
Immigration & Customs Enforcement  
William McCurine Jr.  
United States Magistrate Judge  
Date